

LAW OFFICES OF ADAM D. PERLMUTTER, P.C.
ATTORNEYS AT LAW

260 MADISON AVENUE, SUITE 1800
NEW YORK, NY 10016
TEL. (212) 679-1990
FAX. (212) 679-1995

ADAM D. PERLMUTTER, ESQ.
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JENNIFER LOUIS-JEUNE, ESQ.
DANIEL A. MCGUINNESS, ESQ.

OF COUNSEL
PAUL GREENFIELD, ESQ.

February 13, 2012

VIA ECF

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States of America v. Thomas Gioeli, *et al.*
Case No. 08-cr-240 (S-6) (BMC) (RER)

Dear Judge Cogan:

I am counsel with Carl J. Herman, Esq., in connection with the above matter on behalf of Thomas Gioeli. I am writing on behalf of Gioeli and co-defendant Dino Saracino regarding disclosures received today from the government.

The materials provided this morning comprise at least 2300 telephone calls including over two thousand Title III recordings. Since taking this matter over from Judge Gershon, the Court has continually ordered the government to produce all Title III recordings to the defendants. In September 2009, the Government represented to the Court that the bulk of Rule 16 discovery had been turned over.

We ask that the Court schedule a conference at it earliest convenience to discuss the trial schedule in light of today's disclosures.

Respectfully submitted,



Adam D. Perlmutter

Cc: All counsel (via ECF)